IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.171 OF 2007
IN
CRIMINAL APPEAL NO.844 OF 2005

Kamal Dukhiram Jana. ..Applicant.

Versus

The State of Maharashtra. ..Respondent.

..

Ms.Rebecca Gonsalves, Adv. appointed for the petitioner.
Mrs.A.S.Pai, APP, for the State.

..

CORAM : R.M.S.KHANDEPARKAR AND SMT.V.K.TAHILRAMANI,JJ.

DATED : SEPTEMBER 07, 2007.

P.C.:-

1. Heard both sides.

2. The applicant-orig.accused No.2 has been convicted under Sections 302, 364, 342 of IPC. The applicant is now seeking bail.

3. The case against the applicant is that he along with others took away deceased Jayprakash

stating that they would pay his balance salary and thereaafter instead of paying the salary they made allegation that the deceased stole their cash. Thereafter they poured kerosene on his person and set him on fire. There are two dying declarations on record. In both the dying declarations the applicant has been implicated as one of the persons who had taken away the deceased and poured kerosene and set him on fire.

4. Looking to all these facts, we do not think that this is a fit case to grant bail. Application is rejected.

[R.M.S.KHANDEPARKAR,J.]

[SMT.V.K.TAHILRAMANI,J.]